

|                               |                        |                       |  |
|-------------------------------|------------------------|-----------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b>   |  |
|                               | 09/773,364             | HELLER, HOWARD ANDREW |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>       |  |
|                               | Richard Chang          | 2663                  |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/15/2004.
2. ☒ The allowed claim(s) is/are 1-39.
3. ☒ The drawings filed on 15 November 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|   | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### **Response to Amendment**

1. Applicants' amendments and arguments, see amendment, filed on 11/15/2004, with respect to Claims 1-27 have been fully considered and are persuasive. The 35U.S.C.102/112 rejections have been withdrawn. None of the previously cited reference teaches the Claims 1-27.

### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment is to be given in a telephone interview with Mr. Kraig Anderson, on 3/18/2005. The application has been amended as follows: In claim 18, the word "and" before the end period mark should be deleted and a word "and" should be added immediately following the final semi-column mark ';' as "... an L2TP tunnel; and...", because in the previous claim amendment the final semi-column pattern "...; and ..." has been deleted without further relocation for a clear claim format.

### ***Examiner's Statement of Reasons for Allowance***

3. Claims 1-39 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The prior art along or in combination fails to teach or make obvious the limitation that specifically comprises:

"the CPE including a Mobile IP mobile node and a Layer 2 Tunneling Protocol (L2TP) access concentrator (LAC);

the mobile node of the CPE registering the Mobile IP address of the CPE with a Mobile IP home agent of a home network, the mobile node registering a Mobile IP foreign agent with the home agent each time the CPE connects to a base station so that IP packets destined for the Mobile IP address of the CPE are encapsulated and forwarded to the foreign agent that corresponds to that base station the user device being connected to the LAC via a PPP (point-to-point protocol) session for accessing a server on a computer network;

the LAC being connected to an L2TP network server (LNS) on the computer network over a wireless link through an L2TP tunnel;

the user device communication with the server on the network by transmitting PPP frames containing IP packets destined for the server over the PPP session to the LAC, tunneling the PPP frames from the LAC to the LNS over the wireless link through the L2TP tunnel, terminating the L2TP tunnel and the PPP session at the LNS, and forwarding the IP packets contained in the PPP frames from the LNS to the server on the network" as recited in the only independent claim 18.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Alu*

rkc

Richard Chang  
Patent Examiner  
Art Unit 2663

*Rich Ngo*  
RICKY NGO  
PRIMARY EXAMINER

3/21/05